S.B.Civil Writ Petition NO.1720/2004

Jasveer Singh

vs

Civil Judge (Lower Division), Padampur & Ors.

DATE OF ORDER : - 5.4.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. Darshan Paul, for the petitioner.
Mr.Trilok Joshi, for the respondents.

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Heard learned counsel for the parties.

The petitioner is aggrieved against the order dated 25.2.2004 by which the trial court allowed the application of one Valiram filed under Order 1 Rule 10 CPC and impleaded him as party in the suit as defendant.

According to learned counsel for the petitioner, the petitioner filed the suit for mere injunction and has not sought any relief against the applicant,therefore, he is unnecessary party and by impleading him as party in the suit, the proceeding before the trial court will be delayed.

I considered the submissions of learned counsel for the parties.

Since the order to implead a party has been passed by the trial court within its jurisdiction and there is no glaring fact, which requires interference by this Court under Article 227 of the Constitution of India, therefore, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

cp.goyal/-